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Dear Neighbor:

I am excited to share with you the accomplishments of the 21st Legislature.

We were able to make positive changes in areas such as school facilities, the environment and long-term care. We passed a responsible state budget. We provided for the basic needs of people and approved gasoline and prescription drug reforms that will put money back

into the pockets of consumers.

We passed meaningful campaign spending reform legislation that limits campaign contributions, prohibits contributions from government contractors, and requires the removal of an elected official who has been convicted of criminal behavior.

I hope that this reform will begin to restore the public's trust in government and elected officials.

We also approved \$140,000 for the repair and maintenance of the Moiliili Community Center. The funds will be used to repair walls and floors, and to re-paint the building. MCC offers dozens of classes for hundreds of children, adults and senior citizens, all of whom may now enjoy safe, attractive and comfortable facilities.

I hope this newsletter gives you a better flavor of the issues and measures we dealt with and passed in the 2002 legislative session and which await the Governor's approval.

I have also appreciated those of you who contacted me during the past year. I rely upon your phone calls and e-mails. They give me a better "pulse" of what our community is thinking.

On a final note, I wanted to let you know that beginning with the 2002 election, a new legislative reapportionment plan, in which all Senate and House districts have been re-drawn, will go into effect. As a result of reapportionment, I will no longer represent Kapahulu. Instead, my district will encompass the Moiliili, McCully, Kaheka and Kanewai communities.

To those who reside in Kapahulu, thank you for giving me the opportunity to represent you during the past eight years. We have faced some difficult issues together—both as a community and as a State. I have appreciated the confidence and flexibility you gave me to work on your behalf.

Thank you for reading this newsletter. If you have any questions or concerns, please do not hesitate to write, call (586-8485), or e-mail me (repsaiki@capitol.hawaii.gov).

Sincerely,

Scott Saiki

Scott K. Saiki
State Representative
District 20

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Representative Scott K. Saiki

LEGISLATIVE UPDATE

House of Representatives District 20

McCully · Moiliili · Kapahulu

UPDATE ON OUR NEIGHBORHOOD SCHOOLS



ALA WAI SCHOOL

Ala Wai School has just received two distinct honors.

First, Ala Wai received a five-year grant to participate in a nationally-acclaimed program called "Positive Action." Positive Action emphasizes the relationship between behavior and academics. It teaches students to use their positive thoughts to lead to positive actions and positive feelings. Nationwide, this program has increased academic achievement and reduced absenteeism.

Ala Wai School also received a \$136,000 "Reading Excellence" grant. Students will receive extra assistance to develop their reading skills. Ala Wai will be able to hire tutors, purchase textbooks, and assess student progress.

Congratulations to Principal Charlotte Uni, the teachers, staff, and students of Ala Wai School for their hard work and for receiving these honors.

COMMUNITY PHONE NUMBERS:

Boys & Girls Club of Honolulu	949-4743
Makua Alii	973-7264
McCully-Moiliili Public Library	973-1099
Moiliili Community Center	955-1555
Project Dana	945-3736

CONDO LEGISLATION UPDATE

Prior written notice of costs for providing information

Provides that an apartment owner who requests legal or other information from the association of apartment owners (AOAO) shall not be charged for the cost of providing the information unless the AOAO notifies the apartment owner 10 days prior to incurring the cost. Also provides that prior written notice is not necessary for charges relating to informing an apartment owner of delinquent assessments or enforcement of the law or the AOAO's governing documents. (HB1713)

Condominium disputes

Provides that in a mediation involving an apartment owner and the board of directors of an association of apartment owners (AOAO) over the interpretation or enforcement of the AOAO's declaration, bylaws, house rules or condominium laws, each party is responsible for its own mediation costs unless otherwise agreed on by the parties. (HB1716)

Condominium fees for AOAO bulk purchase

Clarifies that if an association of apartment owners (AOAO) is authorized to purchase a lessor's interest (1) the AOAO may purchase the leased fee interest appurtenant to the various condo units in a condominium project and in the various apartment and ground leases; (2) the AOAO's authority to assess as a common expense the expenses incurred in acquiring and holding a leased fee interest does not apply to a bulk purchase of the fee interest by the association. (HB2413)

Condominium flood insurance

Requires that condominium property regimes located in special flood hazard areas as delineated on flood maps issued by FEMA carry flood insurance that meets the requirements of the National Flood Insurance Program and the Federal Insurance Administration. (SB2341)

Condominiums' bylaws approval

Increases the time within which votes or written consent approving a proposed bylaw must be obtained from 120 to 356 days after mailing the proposed bylaws to apartment owners by either the board of directors or a volunteer apartment owner's committee. Applies to proposals mailed after the effective date of the Act. (HB1715)

HIGHLIGHTS OF THE TWENTY-FIRST LEGISLATURE

Consumer & Health

Prescription Drugs

The Legislature dealt with the problem of soaring prescription drug costs by establishing the Hawaii Rx Program (Hawaii Rx), which would be open to all Hawaii residents. Hawaii Rx would negotiate price discounts with drug manufacturers that would be passed on to consumers at the pharmacy (HB2834).

It also passed the Medicaid Prescription Drug Expansion Program (Program) to assist qualified low-income consumers. Households with income levels at 300% of the Federal Poverty level (\$44,220 for a family of two, \$51,840 for three....and so on,) would qualify for the discounted drug prices (HB1950).

Health Insurance

Protected consumers by requiring health plans to disclose their rate cost drivers and method of setting premiums, allowing the Insurance Commissioner to reject rates that are excessive, inadequate, or that unfairly discriminate against certain groups, and requiring health plans to take their monetary reserves into consideration in setting rates, and to return excess reserves to consumers through lowered insurance premiums (HB1761).

Long-Term Care

The Legislature addressed the costs of long-term care by establishing the Hawaii Long-term Care Financing Program (Program). A board of trustees will be charged with examining the issue of long-term care in Hawaii and designing the Program, including methods of financing and determining benefits (HB2638).

Gasoline Prices

Beginning July 1, 2004, the Legislature provided relief from the nation's highest gasoline prices by requiring the Public Utilities Commission to establish pretax wholesale and retail gasoline prices on a weekly basis based on a criteria that includes spot daily prices from various West Coast markets, location adjustment factors, marketing margin factors, and neighbor island wholesale adjustment factors (SB2179).

Good Government

Campaign Spending/Election Reform

Ensured the integrity and certainty of the State's electoral process by limiting contributions to candidates in an aggregate amount of \$25,000 in a two-year election period, prohibiting the State or counties from entering into contracts with anyone who has made a recent campaign contribution, prohibiting banks, labor organizations, or other entities organized by authority of federal or state law from making campaign contributions, and making knowing falsification of campaign reports a class C felony (SB2431).

Ensured that public officials who are convicted of criminal behavior are removed from office on the date of conviction rather than waiting until sentencing and proposed a constitutional amendment requiring candidates for the Legislature to be qualified voters in the districts they wish to represent before filing primary election nomination papers (HB771 & HB1012).

Helped avoid uncertainty in elections such as that of the last presidential election by establishing specific criteria that will trigger an automatic recount in close elections (HB2843).

Education

Budget Concerns

Although the Legislature had a tight budget to work with, it did appropriate \$466,079,000 for fiscal biennium 2001-2003 for public school CIPs, including various improvements and repair and maintenance projects and \$321,425,000 for fiscal biennium 2001-2003 for University of Hawaii CIPs. It also kept the overall budget cuts to a minimum for both the DOE and UH, unlike other State departments (HB1800).

Local School Boards

The Legislature looked at a number of ways in improving the public education system. One of the ideas that had some merit was the abolishment of the Board of Education and to establish local school boards. Unfortunately, the bill did not make it out of conference committee, but a task force was established to look into the merits of this concept as to whether it will have a positive impact upon our education system (SB3018).

Special Purchase Revenue Bonds

Enabled students in Hawaii to enjoy better learning facilities by proposing constitutional amendments and enacting statutory changes to allow the issuance of special purpose revenue bonds to private, nonprofit elementary schools, secondary schools, colleges, and universities to finance construction projects (HB2848 & HB2166).

New Century Charter Schools

Supported charter schools as an essential part of school reform efforts by allowing the board of directors of a Hawaii nonprofit organization to act as a local school board in managing and operating an existing public school as a New Century Conversion Charter School (SB2662).

Felix Consent Decree

Appropriated \$221,060,594 in general funds to support the Department of Education's efforts to comply with special education requirements and specific court mandates (HB1800).

Authorized the continuation of the Joint Senate-House Investigative Committee to investigate the State's efforts to comply with the Felix v. Cayetano Consent Decree (HCR7).

Environment

Bottle Bill

The Legislature established the Statewide Beverage Container Deposit and Redemption Program. This will effectively divert the 800,000,000 glass, plastic, and metal beverage containers imported and consumed each year in Hawaii. Starting October 1, 2002, distributors will be subject to a deposit beverage container fee of .05 cents per container. Starting January 1, 2005, a five-cent deposit will be imposed on containers. Redemption centers will return the deposit to the consumer and recycle the containers at out-of-state facilities or in-state facilities approved by the Department of Health (DOH). Using the container fee and unredeemed deposits, DOH will refund the deposit fees paid by the redemption center to redeemers, and also pay a handling fee of not less than the container fee to the redemption centers (HB1256).

Protecting Our Environment

Protected Hawaii's economy, natural environment, and the health and lifestyle of Hawaii's people from invasive alien species by permitting the establishment of a Hawaii Invasive Species Council to coordinate the State's effort to control and eradicate alien invasive species (HB2212).

Allowing four stalled projects to proceed despite the presence of endangered species by authorizing habitat conservation plans and safe harbor agreements on public lands on a limited basis (HB2552) and appropriating \$5,410,000 in state and federal funds to support endangered species and watershed partnership programs (HB1800).

Promoted linkage between tourism and Hawaii's natural environment by earmarking at least \$1,000,000 from the Tourism Special Fund to manage, improve, and protect Hawaii's natural environment and areas frequented by visitors (SB2350).

Protected Hawaii's people and the environment from bioterrorism and epidemics by Giving DOH, in collaboration with health care providers, greater flexibility in making decisions and providing treatment during times of disease outbreaks (HB2521). And, authorizing the Department of Agriculture to quarantine and destroy animals known to be susceptible to contagious, infectious, or communicable diseases (HB2708).

Protecting Our Community

Internet Predators

Establishing the crime of electronic enticement of a child to stop those who would take advantage of a minor by using a computer or other electronic device to lure a child with the intent to commit a felony or to use the child in pornography (HB2426).

Sex Offender Registration/Public Safety

Addressed constitutional concerns raised by the Hawaii Supreme Court to reinstate sex offender registration requirements. Provides a presumption that the information should be released to the public but also provides the offender an opportunity to show that the person is no longer a threat to the community (SB2698).

Makes sex offenders ineligible for employment for any position within the Hawaii State Public Library System (SB2791).

HIV Testing

Mandates HIV testing of those convicted of sexual assault, child abuse, and incest. It also allows the courts to order HIV testing if person is charged with same offense (HB1901).

Police Officer Recruits

Increased the pool of police officer recruits to fill vacancies by allowing police officer applicants to be nonresidents upon application but requires them to establish residency upon employment (HB1772).

Public Safety

Drug Treatment for Non-Violent Drug Offenders

Addressed the substance abuse problem in the State by requiring first time non-violent drug offenders, including probation and parole violators, to be sentenced to undergo and complete a drug treatment instead of incarceration.

Provided for interagency coordination to oversee the development and implementation of offender substance abuse treatment programs in the State and funding substance abuse treatment programs with a \$2,192,698 appropriation from the Rainy Day Fund (SB1188 HB1245).

Correctional Facilities

The Legislature passed HB 2382 HD1 SD2, which will require notification and public comment during the site selection process for any new or expanded correctional facilities within the State. This is especially important to our district since Halawa Correctional Facility is being proposed as a site for expansion (HB2382).

Highway Racing

Created the offense of excessive speeding for driving 30 miles over the speed limit. Multiple convictions would subject the offender to a three-year license suspension and forfeiture of the offender's car (SB2337).

Traffic Camera Program

Addressed problems in the implementation of the controversial Traffic Enforcement Demonstration Project or "traffic camera" pilot program by repealing the program (HB2167).